

C O U N C I L C O M M U N I C A T I O N

TO: THE CITY COUNCIL
FROM: THE CITY MANAGERS OFFICE

COUNCIL MEETING DATE
JUNE 7, 1989

SUBJECT: CITY COUNCIL POSITION REGARDING SENATE BILL 1127 (C. GREEM) PROVIDING FOR LOCAL
 AUTHORITY TO PERMIT COMPULSORY AND BINDING ARBITRATION FOR PUBLIC SAFETY
 EMPLOYEES

PREPARED BY: Assistant City Manager

RECOMMENDED ACTION: Council adopt the attached Resolution No. 89-65
 opposing SB 1127 which opposes compulsory and binding
 arbitration for police-fire employees.

BACKGROUND INFORMATION: The Senate Appropriations Committee has reported to
 the Senate Floor SB 1127 which permits cities to
 establish a system of compulsory and binding
 arbitration for police and firefighters. ~~We~~ should be
opposed to this bill for the following reasons:

1) Compulsory and binding arbitration destroys good faith bargaining.

The parties at the table are not concerned with reaching an agreement but to posture to be in the best possible position for the arbitration process.

2) Police and fire unions state that compulsory and binding arbitration prohibits strikes.

Strikes affecting public safety is now against the California law.

Police and fire employees are well paid with the best possible set of fringe benefits.

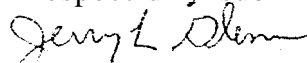
3) Local option provision does not minimize bad policy.

The fact that an ordinance makes something permissible does not make it an acceptable labor relations procedure. It is bad public policy for a legislative body to abdicate its responsibility to its employees and citizens to a non-elected non-local person.

4) Unfair To Other. Employees.

Compulsory and binding arbitration gives police and fire employees first priority over other employees and services in the local budget process. Remember, Council has no recourse to an arbitrator's award. They have turned the budget over to an outsider.

Respectfully submitted,



Jerry L. Glenn
Assistant City Manager

JLG: br
Attachment

COUNC576

RESOLUTION NO. 89-65

A RESOLUTION OF THE LODI CITY COUNCIL
OPPOSING SENATE BILL 1127 (C. GREEN) PROVIDING FOR LOCAL AUTHORITY TO
PERMIT COMPULSORY AND BINDING ARBITRATION FOR PUBLIC SAFETY EMPLOYEES
AND ASKING THE STATE SENATE FOR A NO VOTE ON SENATE BILL 1127

WHEREAS, the Senate Appropriations Committee sent to the Senate Floor SB 1127 (C. Green) permitting local agencies to establish a system of compulsory and binding arbitration; and

WHEREAS, the Lodi City Council believes local agencies should not abdicate their legislative responsibilities to a non-elected, non-accountable person; and

WHEREAS, the Lodi City Council opposes this legislation for the following reasons:

1. Inequity. While the bill technically applies to the state, it permits an arbitrator's award to be subject to the state appropriations process. In short, SB 1127 does not really institute a system of compulsory and binding arbitration for the state. Why does the state get to decide if it can pay for an award, when local agencies simply have to accept an award no matter how detrimental to other services and employees?
2. Destroys Good Faith Collective Bargaining. Compulsory and binding arbitration is the antithesis of good faith collective bargaining. The parties at the table are no longer concerned with reaching agreement. Each side is forced to posture and "play the game" to be in the best position for the arbitration process.
3. Strike Prohibition a Phony Issue. Police and fire unions claim they want compulsory and binding arbitration to stop strikes. Strikes are now prohibited for these employees. Local government employees have been bargaining for over 20 years with relatively few strikes. Police and fire employees are the best paid public employees with the best fringe benefits in the nation. "Public employee strikes" is a non-issue.
4. Local Option Provision Does Not Minimize Bad Policy. The fact that SB 1127 is subject to local adoption through an ordinance does not make compulsory and binding arbitration an acceptable labor relations procedure. Many bills which merely provide for "local option" or enact policy subject to a "vote of the people" are defeated in the Legislature every day because the proposals constitute bad public policy. This same judgment should be exercised on SB 1127.

arbitration gives police and Fire employees first priority over other employees and services in the local budget process. It will only widen the already existing gap between safety employees and other employees;'

NOW, **THEREFORE**, BE IT RESOLVED, that the Lodi City Council opposes SB 1127 and hereby asks all members of the State Senate for a NO vote on SB 1127.


Dated: June 7, 1989

I hereby certify that Resolution No. 89-64 was passed and adopted by the City Council of the City of Lodi in a regular meeting held June 7, 1989 by the following vote:

Ayes: Council Members - Hinchman, Olson, Pinkerton, Reid and Snider (Mayor)

Noes: Council ~~Members~~ - None

Absent: Council Members - None


Alice M. Reimche
City Clerk